

REMARKS

In the outstanding Official Action, claims 35 - 49 were rejected under 35 U.S.C. §102(b) over BOHACEK et al. (U.S. Patent No. 6,411,687). Claims 37 - 38, 41, 42, 47, and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over BOHACEK et al. In view of LEVIN et al. Claims 45 - 49 were rejected under 35 U.S.C. §103(a) over BOHACEK et al. Applicants respectfully traverse.

Claim 35 requires performing an analysis with respect to a number of words used and/or a method of contact. Claims 39 and 45 merely require an analysis of the number of words used. BOHACEK et al. do not disclose or suggest such an analysis.

The Examiner refers to elements 7 and 44 of BOHACEK et al. Element 7 is a word detector. Element 44 is part of the word detector, more specifically, a word analyzer. BOHACEK et al. describe the word detector unit 7 at col. 2, lines 54 - 57. For example, BOHACEK et al. state that the “word detector unit 7 listens to the caller’s voice and carries out key word recognition of specific words that would indicate annoyance or impatience.” The word analyzer is described, at col. 3, lines 48 - 54, as outputting “a signal to mood logic 4 dependent on the nature of the word. Some words clearly indicate a greater degree of annoyance than others.” Consequently, it can be seen that BOHACEK et al. do not count or analyze the *number* of words used. Rather they contemplate *recognizing* specific words, without regard to the actual number of words. It is submitted that analyzing a number of words is not only different from recognizing words (i.e., voice recognition), but it is a non-

P19115.A13

obvious variation.

It is therefore respectfully requested that the Examiner withdraw the rejections of independent claims 35, 39, and 45.

Dependent claims 36 - 38, 40 - 44, and 46 - 49 are believed to be allowable, at least because each depends from an allowable independent claim, as well as for additional reasons related to their own recitations.

P19115.A13

SUMMARY AND CONCLUSION

Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have discussed the features recited in applicants' claims and have shown how these features are not taught, disclosed nor rendered obvious by the references applied by the Examiner.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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